

On October 16, 1919, a plea of guilty to the information was entered on behalf of the defendant company, and on October 25, 1921, the court imposed a fine of \$200 and costs.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10631. Adulteration of tomato catsup. U. S. \* \* \* v. 70 Cases \* \* \* of Tomato Catsup. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8642. I. S. No. 3309-p. S. No. E-928.)**

On November 28, 1917, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 70 cases, each containing 6 cans, of tomato catsup, remaining unsold in the original unbroken packages at Scranton, Pa., alleging that the article had been shipped by the Leslie Sauce Co., New York, N. Y., on or about November 13, 1917, and transported from the State of New York into the State of Pennsylvania, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Pride Of Long Island Brand Tomato Catsup \* \* \* Manufacturers The Garret Bergen Co. \* \* \* New York and Bridgeton, N. J. \* \* \*."

Adulteration of the article was alleged in the libel for the reason that it consisted in part of a decomposed vegetable substance, to wit, decomposed tomatoes.

On July 2, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10632. Adulteration and misbranding of Wood's special concentrated sweetener. U. S. \* \* \* v. 3 Cans, et al, of Wood's Special Concentrated Sweetener. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12995, 13053. I. S. Nos. 9877-r, 7451-t, 9350-r. S. Nos. E-2412, E-2443.)**

On July 6 and 20, 1920, respectively, the United States attorney for the District of New Jersey, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 8 cans of Wood's special concentrated sweetener, at Asbury Park and Long Branch, N. J., respectively, alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., on or about June 11 and 25, 1920, respectively, and transported from the State of Missouri into the State of New Jersey, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Wood's Special Concentrated Sweetener. \* \* \* W. B. Wood Mfg. Co., St. Louis, Mo."

Adulteration of the article was alleged in substance in the libels for the reason that saccharin had been mixed and packed with the article so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the said article. Adulteration was alleged for the further reason that the article contained an added poisonous or deleterious ingredient, to wit, saccharin, which might render it injurious to health.

Misbranding was alleged in substance for the reason that the statement on the label of the can containing the article, "\* \* \* Special Concentrated Sweetener 500," was false and misleading and deceived and misled the purchaser, in that it represented the article as being 500 times sweeter than sugar, when it was not. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On July 11, 1921, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10633. Misbranding of Vigoron. U. S. \* \* \* v. 42 Dozen Bottles of \* \* \* Vigoron. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13330. I. S. No. 10060-t. S. No. W-667.)**

On August 18, 1920, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the

District Court of the United States for said district a libel for the seizure and condemnation of 42 dozen bottles of Vigoron, remaining in the original unbroken packages at San Francisco, Calif., alleging that the article had been shipped by the Sydney Ross Co., New York, N. Y., in part on November 29, 1919, and in part on April 30, 1920, and transported from the State of New York into the State of California, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted of sugar-coated pills containing compounds of iron, manganese, zinc, arsenic, phosphorus, and strychnine.

Misbranding of the article was alleged in substance in the libel for the reason that the following statements appearing on the label of the bottle containing the said article and in the accompanying wrapper and circular, (wrapper) (English and Spanish) " \* \* \* A Blood Making and Purifying Tonic for \* \* \* Neurasthenia \* \* \*," (bottle label) (English and Spanish) " \* \* \* For \* \* \* Neurasthenia, \* \* \* General Debility \* \* \*," (circular) (English) " \* \* \* The Supreme Blood and Nerve Tonic. Recommended for \* \* \* Neurasthenia, Nervous Irritability, \* \* \* Impotence, Irregular Menstruation, \* \* \* and General Conditions of Debility. \* \* \* Vigoron will bring about marked improvement when taken for the symptoms mentioned \* \* \* Asthma. \* \* \* Boils and Carbuncles. \* \* \* Change of Life or Menopause. \* \* \* Irregular Menstruation, \* \* \* Chronic Malaria. \* \* \* Chronic Rheumatism. \* \* \* Debility. \* \* \* Spermatorrhoea, impotence, lost vitality, nervous weakness, neurasthenia, despondency. \* \* \* Disorders of Menstruation. \* \* \* Delayed, Scanty, painful or too profuse menstruation \* \* \* take \* \* \* before the expected date for menstruation and continue taking until three days after the flow has stopped. \* \* \* Leucorrhoea or Whites. \* \* \* Nervous Exhaustion, Nervous Dyspepsia, Nervous Headaches, Nervous Debility \* \* \* The woman who expects to become a mother should not use Vigoron until the fourth month. \* \* \* Rheumatic Gout \* \* \*," (Spanish) "Vigoron Pastillas Invincible Power from Abundance of Blood. A Powerful Making and Purifying Tonic of the Blood for \* \* \* Neurasthenia, General Debility \* \* \* Nervous Dyspepsia, Impotency, and Blood and Nerve Disorders. \* \* \* Vigoron will relieve the symptoms for which it is recommended \* \* \* Disorders of Menstruation. Retarded, painful or very abundant \* \* \* irregular menstruation \* \* \* Vigoron \* \* \* should be taken \* \* \* preceding the date when the menses will or are supposed to come and \* \* \* until the flow ceases. Ladies \* \* \* approaching the change of life \* \* \* should take Vigoron \* \* \* until the nervous symptoms disappear \* \* \* Retarded menstruation \* \* \* may likewise be stimulated. Pregnant women should take care not to use complete doses of Vigoron until after the fourth month of pregnancy. \* \* \* Leucorrhoea can be cured using six tablets a day \* \* \* Nervous Debility or Neurasthenia, Nervous Exhaustion \* \* \* persons \* \* \* may acquire nervous exhaustion by sexual abuses, by a prolonged genetic excitement and abuse of such sensations during youth \* \* \* ladies suffer menstrual disorders as well as ovarian. In men impotence to effect natural necessities of his sex, extreme organic weakness after satisfying them, or premature flows occur. \* \* \* Nervous Dyspepsia. \* \* \* Boils. \* \* \* Nervous Headache. \* \* \* furuncles. \* \* \* Rheumatic Gout. \* \* \* Herpes of Internal Origin. \* \* \* Intestinal Indigestion. \* \* \* Chronic Paludism. \* \* \* Chronic Rheumatism. \* \* \* Pulmonary Tuberculosis \* \* \*," were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the curative and therapeutic effects claimed.

On May 9, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

**10634. Misbranding of Dr. Martel's female pills. U. S. \* \* \* v. 188 Boxes of \* \* \* Dr. Martel's Female Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. Nos. 13351, 13352. I. S. Nos. 10356-t, 10057-t. S. Nos. W-655, W-656.)**

On August 18, 1920, the United States attorney for the Northern District of California, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and